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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/093,533 06/08/98 MALCOLM

M CASH-001

EXAMINER

TM02/0927

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ART UNIT	PAPER NUMBER
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2171
DATE MAILED:

09/27/01

#27

Please find below and/or attached an Office communication concerning this application or proceeding.

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LAW GROUP

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Office Action Summary	Application No.	Applicant(s)	
	09/093,533	MALCOLM ET AL.	
	Examiner	Art Unit	
	Mary D. Wang	2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-52, 54 and 55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-22, 39-46, 54 and 55 is/are allowed.
- 6) ☒ Claim(s) 23-38 and 48-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 23-38 and 52 are rejected under 35 U.S.C. 102(e) as being anticipated by Bhide et al., U. S. Patent No. 5,852,717. This maintains the rejection for claims 24-38 of the previous office action, which is hereby incorporated in its entirety by reference. Claim 52 has been amended, but the rejection still applies to the limitations. The amended claim 23 is rejected for the similar reason as claim 31.
3. Claims 48-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bhide et al., U. S. Patent No. 5,852,717 in view of Axberg et al., U. S. Patent No. 6,009,466. This maintains the rejections of the previous office, which hereby incorporated by reference.

Allowable Subject Matter

4. Claims 15-22, 39-46 and 54-55 are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter:

In view of applicant's amendment dated 8/29/2001, examiner agrees that Bhide fails to teach the step of maintaining includes steps of recording the network objects in the cache memory and retrieving the network objects from the cache memory, so as to substantially minimizes a time required for retrieving the network objects from the mass storage as claimed in claims 15-22.

Art Unit: 2171

The prior art fail to teach or suggest performing at least of: maximizing a rate at which said network objects can be written to said mass storage, maximizing a rate at which said network objects can be erased from said mass storage, maximizing a rate at which said network objects can be retrieved from said mass storage, minimizing a time required for retrieving said network objects from said mass storage as claimed in claims 39-46.

The reasons for allowance for claims 47 and 54-55 were stated in the previous office action.

Response to Arguments

6. Applicant's arguments filed 8/29/2001 have been fully considered but they are not persuasive.

With regarding applicant's argument for the amended claim 23, examiner has rewritten the rejection the claim, which is now rejected for the similar reason as claim 31. Its dependent claims 24-30, the original rejection is maintained.

With regarding applicant's argument for claims 31-38, it is believed the cited reference indeed teaches determining when and where to record the network objects. Thus, the rejection is maintained.

With regarding applicant's argument for the claims 48-51, it is believed the combination of Bhide and Axberg teaches the claimed matters. Thus, the rejection is maintained.

With regarding applicant's argument for the amended claim 52, it is believed the mass storage of the cache memory utilizes non-hierarchical storage is inherent for Bhide's system because all mass storage of cache memory is non-hierarchical storage.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2171

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Wang whose telephone number is (703)-305-0084. The examiner can normally be reached on Monday – Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Black, can be reached on (703) 305-9707.

The fax phone number for the organization where this application or proceedings is assigned are as follows:

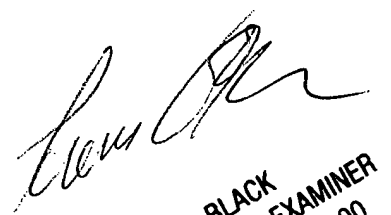
(703) 746-7238 (After Final Communication)

(703) 746-7239 (Official Communications)

(703) 746-7240 (For Status inquiries, draft communication)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-3900.

Mary Wang
Patent Examiner
Art Unit 2171
September 25, 2001


THOMAS BLACK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100